REMARKS/ARGUMENTS

Claims 1-9 and 21-31 are pending. Claims 21-31 are withdrawn from consideration. Applicant affirms the election without traverse of Group I, claims 1-9, for further prosecution.

Claim 1 is amended to clarify that only those compounds that are "hypolipidemic" are being claimed and to include a Markush group defining the heteroatoms as those commonly used in the art. Claims 3 and 4 are canceled. Claim 8 is amended to insert subscripts.

Claims 1, 3 and 4 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for RCOOH groups, does not reasonably provide enablement for RCOOH groups that are nonsteroidal anti-inflammatory drugs. In view of the cancellation of claims 3 and 4 and the definition of the heteroatoms, this rejection is believed to be overcome.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hertz et al ("Mode of Action of Peroxisome Proliferators as Hypolipidemic Drugs - Suppression of Apoliprotein C-III", The Journal of Biological Chemistry, Vol. 270, No. 22, Issued June 2, pp. 13470-13475, 1995). Applicants claim a pharmaceutical composition of instant Claims 1-5. The Hertz *et al* reference discloses aryloxyalkanoic fibrates (e.g. clofibrate and bezafibrate) and substituted long chain dicarboxylic acids (e.g. Medica 16) that can be used in humans as drugs for treating hypertriglyceridemia or combined hypertriglyceridemia/hypercholesterolemia.

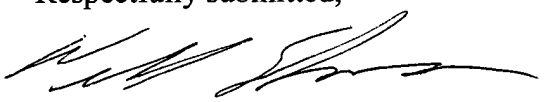
Claims 1, 2, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bar-Tana (U.S. Patent No. 4,689,344). Claims 1 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Copper et al (U.S. Patent No. 4,954,487).Claims 1, 2, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cho et al (U.S. Patent No. 5,502,226).

Applicant submits that the cited art does not teach or suggest activity under conditions where the liver is non-responsive to PPAR. The requirement for CoA-thioesterification leading to suppression of HNF4 activity is neither a process limitation nor an indication of use, but a mandatory characteristic for activity in PPAR non-responsive species, namely humans. Since the human liver is not responsive to PPAR, it would not be obvious that amphipathic carboxylates would be effective to inhibit HNF-4 mediated transcription.

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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